EVICTION PROCEDURE

Visitors who fail to abide by the Library's Code of Conduct and policies are subject to having their Library privileges suspended and/or being evicted from the premises of the Toledo-Lucas County Public Library.

Eviction or suspension of library privileges will be based upon the attached administrative procedural guidelines. Evictions and suspensions may be decided upon and imposed by the Director, Deputy Director, Extension Manager, Assistant Extension Manager, Main Library Manager, Branch Library Managers and Assistant Managers, Main Library Department Managers and Assistant Managers, Security Operations Coordinator, off-duty police, security officers, and/or the designated Person-in-Charge. These designated staff may exact evictions for up to 7 days. Anything over 7 days shall be referred to the Security Operations Coordinator.

In situations where visitors refuse to comply with an initial verbal warning to cease their inappropriate behavior, they may be evicted according to the attached guidelines recommended under the second violation for infractions.

Documentation: For verbal warnings and one-day evictions, designated staff shall document the eviction by listing date, infraction, name and staff initials in an agency Eviction Log Notebook.

An Unusual Occurrence form will be written for improper conduct and evictions over one day and will be sent to the Security Operations Coordinator, Extension or Main Manager and Finance Office. The Security Operations Coordinator shall notify the expelled visitor in writing about the reason(s) for and the length of the eviction. Letters only will be sent for evictions over seven days and will include a statement of the appeal process.

Staff should warn visitors immediately when improper conduct is observed or reported, so visitors have the opportunity to correct their behavior. Another staff member should witness warnings and evictions issued to a visitor whenever possible.

Staff should attempt to identify the evicted visitor by name. If additional information can be obtained, such as address, telephone number or library card number, staff should record this information as well.

Staff in agencies without security officers should contact the Security Operations Coordinator, the Main Library Security Office, the local police department or use the agency's panic button if unusual or potentially dangerous situations arise with an eviction of a visitor.

Unusual Occurrence forms shall be forwarded to the Security Operations Coordinator with details of the improper conduct and/or eviction, including the date, time and location of the situation on the Library's Report of Unusual Occurrence (R 7/94 18-04). The Security Operations Coordinator will keep these reports on file.

In some instances, the repeated misbehavior of visitors or the seriousness of their actions may indicate that a longer eviction than that in the administrative guidelines is appropriate.

In such circumstances, the visitors committing the infraction should be advised that they are evicted until their case is reviewed with the Security Operations Coordinator. The Security Operations Coordinator should then be contacted about the visitor. The Security Operations Coordinator is authorized to extend an eviction period up to one year, where justified. Eviction periods of more than one year require the approval of the Director.

In cases where the patron disagrees with Library action, he or she can send a letter of concern to the Director's or Deputy Director's office (325 Michigan St. Toledo, OH. 43604) within seven days of receipt of the information letter.

Eviction Procedure & Guidelines

Revised and adopted by the Library Board of Trustees, ***June 28, 2007.***

Toledo Lucas County Public LIBRARY

Important Phone Numbers

Security Operations Coordinator, Jeffry A. Sabo: 419.259.5195
Security Desk: 419.259.5271

Dockets.Justia.com

EVICTION GUIDELINES

Visitors must behave in a socially acceptable manner on the premises of the Toledo-Lucas County Public Library. Guidelines for addressing infractions and evicting visitors from library property are:

Infractions 1-5

First Violation: *Written and/or asked to leave premises to correct problem.*
Second Violation: *Same*
Third Violation: *Same*

1. Inappropriate dress, to include but not be limited to: no shirt and no shoes.

2. Presenting offensive and pervasive odors, which constitute a nuisance to other patrons or staff.

3. Bringing pets into libraries, with the exception of animals serving impaired or disabled patrons.

4. Smoking in libraries.

5. Eating and drinking or displaying open food or liquid containers in public areas, except for official library functions.

Infractions 6-9

First Violation: *Written and/or asked to leave premises to correct problem.*
Second Violation: *1-Day Eviction*
Third Violation: *7-Day Eviction*

6. Personally monopolizing or obstructing library space, seating, table or equipment to the exclusion of other patrons or staff.

7. Sleeping.

8. Gambling, panhandling, soliciting money or engaging in activity for personal profit on library premises.

9. Distribution or posting of any printed materials, except through authorized library guidelines.

Infractions 10-13

First Violation: *1-Day Eviction*
Second Violation: *7-Day Eviction*
Third Violation: *30-Day Eviction*

10. Creating any unreasonable noise, including loud talking, singing, running, boisterous activity and the playing of audio or video equipment, which disturbs other patrons or staff.

11. Riding a cycle, skate board, or utilizing roller skates/roller blades within the library buildings, or utilizing such items on library grounds in a manner that presents a safety hazard or impedes vehicular or pedestrian traffic.

12. Engaging in any act, which clearly disrupts or prevents the normal and intended use of the public library by any other patrons or staff.

13. Profane, obscene or abusive language.

Infractions 14-16

First Violation: *7-Day Eviction*
Second Violation: *30-Day Eviction with Approval*
Third Violation: *6-Month Eviction with Approval*

14. Use of Multiple cards for the Internet.

15. Violation of Internet policy, including the display of profanity or sexually explicit graphics.

16. Improper use of library facilities and/or equipment, to include but not limited to: bathing, shaving, or washing clothes.

Infractions 17-18

First Violation: *6-Month Eviction with Approval*
Second Violation: *1-Year Eviction*
Third Violation: *2-Year or more Eviction (formerly 1-Year)*

17. Possession of alcoholic beverages or illegal drugs. Being under the influence of alcohol or drugs to the extent that one is unable to exercise care of self, or presents a risk of physical harm to himself or another, or to property of another.

18. Verbal and/or physical harassment of staff or patrons to include but not limited to: using threatening language, stalking behavior, i.e., following persons on premises without their permission: staring or watching persons in a manner which could reasonably be construed as threatening.

Infractions 19-24

First Violation: *1-Year Eviction*
Second Violation: *2-Year Eviction (formerly 1-Year)*
Third Violation: *3-Year Eviction (formerly 1-Year)*

19. Destroying or defacing library material and/or property. Eviction period may be extended longer until financial restitution is paid for damage.

20. Selling or distributing illegal drugs or alcoholic beverages on library premises.

21. Theft, or attempted theft of library property or personal property of another. Eviction period may be extended longer until financial restitution is paid for damage.

22. Failure to surrender or remove from the premises any items, upon request of library staff or security person, that are deemed by them to be a weapon, dangerous ordinance or contraband.

23. Engaging in fighting, challenging another person to fight, physically abusing or assaulting anyone on library property.

24. Engaging in sexual activity, including solicitation of prostitution or indecent exposure.

In addition to the listed eviction guidelines for the Toledo-Lucas County Public Library, any criminal offense committed on Library premises, in violation of local municipal ordinances or the Ohio Revised Code, will be subject to prosecution, subject to the discretion of the Director, Deputy Director or Security Operations Coordinator.

In cases where the patron disagrees with library action, he or she can send a letter of concern to the Director's or Deputy Director's office (325 Michigan St., Toledo, OH, 43604) within seven days of receipt of the information letter.

Adopted by the Toledo-Lucas County Public Library Board of Trustees: June 23, 2005

Revised and adopted by the Toledo-Lucas County Public Library Board of Trustees: June 28, 2007